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CENTRAL FAX CENTER****MAY 17 2006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:

C. Graham et al.

For: FOAM BUN MOLD SHIM

Serial No.: 10/626,892

Filed: July 24, 2003

Examiner: Donald H. Heckenberg, Jr.

Art Unit: 1722

Conf. No.: 2557

Atty Dkt. No.: 114951-011

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is
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Trademark Office Fax No. (571) 273-8300
on May 17, 2006.


Michael S. Leonard**RESPONSE TO OFFICE ACTION**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is submitted in response to the non-final Office Action mailed April 3, 2006. A petition for time extension and petition fee are included with this Response.

The Office Action entered a restriction requirement between the following patentably distinct inventions.

Invention I, claims 1-39, drawn to a mold shim.

Invention II, claims 40-43, drawn to a method of embedding.

If Invention I is elected, the Office Action further requires an election of one of the following patentably distinct species of Invention I.

A. Wherein the mold shim is constructed of non-magnetically attractable material.

B. Wherein the mold shim is constructed of magnetically attractable material.

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In response, Applicants elect Invention I, claims 1-39 drawn to a mold shim. Applicants elect specie A, wherein the mold shim is constructed of non-magnetically attractable material. Claims 1-5, 9-36 and 38 are readable on Invention I, specie A. The Office Action acknowledges claims 1 and 9-36 are generic.


Applicants submit that the claims are in condition for allowance and request a Notice of Allowance be issued.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

Date: May 17, 2006

BY


Michael S. Leonard, Reg. No. 37,557
P.O. Box 708
Northbrook, IL 60065
Phone: (847) 272-3400